

DATE: January 6, 1986  
TO: See Below  
FROM: Jim Janssen  
SUBJECT: LPC2018110001 -- Winnebago County  
Pecatonica/Six Oaks Mobile Home Park  
Superfund/Enforcement

EPA Region 5 Records Ctr.



356036

Record of Decision and 4Q Notice

Attached are the Record of Decision and 4Q Notice for Six Oaks Mobile Home Park near Pecatonica, Illinois. Both documents are ready for the Director's signature.

If you agree with the recommendation that Director Carlson sign each document, please so indicate below and forward to the next person on the list. If you believe a briefing with the Director is necessary, let me know and I will arrange it.

	<u>CONCUR</u>	<u>REQUEST BRIEFING</u>
Tim Greetis, Project Manager	<u>tg.</u>	_____
Jim Janssen	<u>[Signature]</u>	_____
Jim Frank	<u>JF</u>	_____
Bob Kuykendall	<u>RBK</u>	<u>[Signature]</u>
Roger Kanerva	<u>RAK</u>	_____
Richard Carlson	_____	_____

JAJ:TAG:tk:4/4/3

Attachments

Jane Adams - Please call me when signed. 2-9851.

~~IEPA RECORD OF DECISION~~  
IMMEDIATE REMOVAL ACTION REQUIRED

Site: Pecatonica/Six Oaks Mobile Home Park  
LPC Site Number: 2018110001

SITUATION

Six Oaks Mobile Home Park is located approximately one and one-half (1 1/2) miles south of the town of Pecatonica in Winnebago County, Illinois. Approximately 27 mobile homes occupy the site. The mobile home park residents are served by a single public water supply well. This well is located approximately 200 feet east of two underground storage tanks. Both tanks contain organic solvent materials totalling an estimated 300 gallons of waste solvent. The well is contaminated with various organic constituents which include T-1,2-dichloroethylene (56 ppb), trichloroethylene (64 ppb), 1,1,1-trichloroethane (30 ppb), tetrachloroethylene (8 ppb), and 1,1-dichloroethane (3 ppb). All of these contaminants except T-1,2-dichloroethylene have been detected in the waste within the underground storage tanks.

The IEPA Division of Public Water Supplies issued a recommendation in August, 1985 to the operator of the mobile home park to locate an alternate source of drinking water. In addition, he was directed to inform the residents to vigorously boil the water before consumption.

OWNERSHIP AND LEGAL STATUS

The mobile home park is presently operated by Mr. Bill Abell who is purchasing the property under contract-for-deed from Mr. Virgil Melvin. Mr. Melvin presently resides in Florida. According to Mr. Abell, Mr. Melvin installed the underground storage tanks and placed the hazardous wastes into them.

The legal status of the site is pending.

DESCRIPTION OF PROPOSED REMEDIAL/REMOVAL ACTION

This project will be divided into two (2) phases. The first phase will be the testing of the underground storage tanks to determine whether they are structurally sound. If a tank fails the test, removal of that tank would result with further investigation and testing to follow concerning possible soil contamination resulting from the leaking tanks.

Phase II will include hydrogeologic investigation to determine subsurface conditions in the vicinity of the site. Also, locating the source of contamination is essential to eliminate or mitigate any additional threat to human health or the environment caused by further migration of wastes from the site.

ESTIMATED COSTS OF PROPOSED REMEDIAL/REMOVAL ACTIONS

Phase I      \$50,000

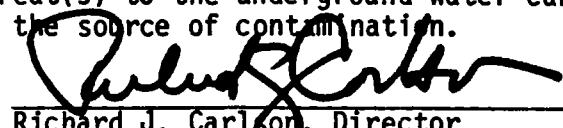
Phase II     \$150,000

DECLARATION

I have reviewed the facts in this matter and, in my opinion, immediate remedial actions by IEPA are justified pursuant to 35 Ill. Adm. Code 750.465. Furthermore, consistent with the State Contingency Plan, I have determined that immediate remedial action at the Six Oaks Mobile Home Park will assist in defining whether or not the present threat(s) to the underground water can be mitigated and minimized by controlling the source of contamination.

1-28-86

Date



Richard J. Carlson, Director  
Illinois Environmental Protection Agency

TAG:ba/2881e/12-13

In The Matter of  
Bill Abell, Norma Jean Abell and  
Virgil Melvin

Notice Pursuant to Section 4(q) of the  
Environmental Protection Act

I. General

1. In accordance with the Illinois Environmental Protection Act (Ill. Rev. Stat. 1983, ch. 111 1/2, §1001, et. seq.) (hereinafter "Act"), the Illinois Environmental Protection Agency (hereinafter "Agency") hereby gives Notice to William Abell, Norma Jean Abell and Virgil Melvin (hereinafter "Respondents"), that the Agency has determined that you may be jointly and severally liable to the State of Illinois for any costs incurred by the State as the result of any "remedial action" (as defined in the Act) undertaken at the Six Oaks Mobil Home Park site located in Pecatonica, Illinois in part of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Four (4) in Township Twenty-six (26) North of Range Ten (10) East, of the Fourth (4th) Principal Meridian, bounded as follows, to-wit: Beginning at the point of intersection of the center line of the State Road running Easterly and Westerly through said quarter (1/4) section with the East line of said forty (40) acre lot; thence running South along the East line of said forty (40) acre lot; forty (40) rods; thence West, twenty (20) rods; thence North, forth (40) rods, more or less, to the center line of said road; thence Easterly along the center line of said road, to the place of beginning; excepting therefrom that part of the above-described premises condemned for highway purposes by Decree in Cause #32812, entered in the County Court of Winnebago County, Illinois on March 30, 1961; situated in Winnebago County, State of Illinois, (hereinafter "Site"). The common street address of the Site is Route 1, Pecatonica, Illinois 61063.

The Agency is considering spending public funds to undertake a corrective action for the control of threatened releases from the Site. This action will be undertaken pursuant to Sections 4, 22.2 and 22.4 of the Act (Ill. Rev. Stat. 1983, ch. 111 1/2, §1004, 1022.2 and 1022.4) and 35 Illinois Administrative Code 750, Subpart D, Hazardous Substance Response, unless the Agency determines that such action will be properly performed by a responsible party.

By this Notice, the Agency intends to both notify you of your potential liability with regard to this matter and to encourage you, as a potentially responsible party, to undertake voluntary response activities in accordance with the terms of the Identified Response Action set forth herein. As stated previously, responsible parties may be liable for any

~~COSTS INCURRED BY THE STATE IN UNDERTAKING A RESPONSE ACTION AT THE SITE.~~  
Such costs may include, but are not limited to, expenditure for remedial investigation, planning, corrective/cleanup action at the site and enforcement action.

## II. Findings

1. Based upon Agency records and investigations, the Agency has information indicating that William Abell may be a potentially responsible party under Section 22.2(f) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1022.2(f). More specifically, the Agency has reason to believe that William Abell is the Owner/Operator of the Site and that William Abell was the Owner/Operator of the Site at the time of the release or substantial threat of release of hazardous substances at the site.
2. Based upon Agency records and investigations, the Agency has information indicating that Norma Jean Abell may be a potentially responsible party under Section 22.2(f) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1022.2(f). More specifically, the Agency has reason to believe that Norma Jean Abell is the Owner of the Site and that Norma Jean Abell was the owner of the Site at the time of the release or substantial threat of release of hazardous substances at the site.
3. Based upon Agency records and investigations, the Agency has information indicating that Virgil Melvin may be a potentially responsible party under Section 22.2(f) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1022.2(f). More specifically the Agency has reason to believe that Virgil Melvin is the Owner/Operator of the Site and that Virgil Melvin was the Owner/Operator of the Site at the time of storage of hazardous substances at the Site and at the time of the release or substantial threat of release of hazardous substances at the site.
4. Based upon Agency investigations, the Agency has information indicating that hazardous substances were stored and are still stored at the Six Oaks Mobil Home Park site in Pecatonica, Illinois. More specifically, Agency personnel have knowledge of two underground storage tanks located on the mobile home park property. Approximately 27 mobile homes occupy the site and all residents are served by a single public water supply well. This well is located approximately 200 feet east of the two underground storage tanks. Both tanks contain organic solvent material totalling an estimated 300 gallons of waste solvent. One of the tanks is located east of a barn on the property, while the other tank is located under the barn. Samples were taken from the two tanks on January 10, 1984. The sample results below marked OUTSIDE TANK are for the tank located east of the barn and the results marked INSIDE TANK are for the tank located under the barn. The sample results are as follows:

	<u>Outside Tank</u>	<u>Inside Tank</u>
Methylene Chloride	190	230
1,1,1 Trichloroethane	4,100	8,900
Trichloroethylene	49,000	65,000
Benzene	380	300
Tetrachloroethylene	4,100	4,900
Ethylbenzene	600	4,900
Xylenes	2,200	990
Toluene	-	2,800

The water in the well located at the mobile home park has been analyzed and the results show that the well is contaminated with various organic constituents which include T-1, 2-dichloroethylene (56 ppb), trichloroethylene (64 ppb), 1,1,1-trichloroethane (30 ppb), tetrachloroethylene (8 ppb) and 1,1-dichloroethane (3 ppb). All of these contaminants except T-1, 2-dichloroethylene have been detected in the waste within the underground storage tanks. The substances listed above which were found in the storage tanks are listed hazardous substances.

### III. Conclusions of Law

Based upon the Findings set forth in II above, the Agency makes the following conclusions.

1. The site is a "facility" as defined in Section 22.2(h)(1) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1022.2(h)(1).
2. William Abell, Norma Jean Abell and Virgil Melvin are "persons" as defined in Section 3(s) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1003(s).
3. "Hazardous substances" as defined in Section 3(yy) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1003(yy) are located at the Site.
4. A release of hazardous substances has occurred at the site and the threat of additional release of hazardous substances exists at the site and that immediate removal action must be undertaken pursuant to Section 4 of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1004, in order to prevent significant risk of harm to human life or health and to the environment.
5. William Abell, Norma Jean Abell and Virgil Melvin are responsible parties pursuant to Section 22.2(f) of the Act, Ill. Rev. Stat. 1983, ch. 111 1/2, §1022.2f.

### IV. Determination

Based upon the Findings of Fact and Conclusions of Law set forth above, the Agency has determined that the actions identified in Part V must be taken in order to prevent or mitigate the release or the substantial threat of a release of hazardous substances into the environment and to provide adequate protection of public health, welfare and the environment.

1. The Respondents shall jointly or severally furnish the necessary personnel, services, facilities and otherwise complete all tasks necessary for or incident to the performance of the work set forth below:
- a. Remove all wastes from the underground tanks which are located on the premises. It is estimated that there is approximately 300 gallons of waste within both tanks.
  - b. Dispose of the waste from the underground tanks in compliance with all rules and regulations, including but not limited to all DOT, OSHA, RCRA and Environmental Protection Act requirements.
  - c. Perform pressure tests on all underground tanks. Any tank which fails the pressure test shall be removed.
  - d. The soil beneath all tanks which are removed shall be tested. If soil testings reveals contamination, all contaminated soil shall be removed.
  - e. The area where underground tanks have been removed, shall be backfilled to grade with clean soils.
  - f. Perform a hydrogeologic investigation to determine subsurface conditions beneath and in the vicinity of the site. This shall include but not be limited to the installation of monitoring wells to ascertain groundwater conditions and flow direction/velocity. This hydrogeologic investigation shall be designed to determine extent of subsurface contamination.
  - g. A Remedial Action Plan shall be implemented to address any contamination found to be present as result of item f above.
2. Each Respondent shall notify the Agency in writing on or before February 26, 1986, of the nature and extent of the corrective measures that the Respondent is willing to undertake a Response Action and investigation at the Site and a schedule for such action.

Notification shall also indicate the appropriate name, address and telephone number for further contact with the Respondent. If a Respondent fails to notify the Agency by February 26, 1986, the Agency will assume that such Respondent refuses to undertake a voluntary Response Action and investigation of the Site and the Agency will proceed accordingly.

Where the Respondent is already involved in discussions with federal, state or local authorities, engaged in a voluntary action or involved in a lawsuit regarding the Site, the notification shall contain a report of the status of these discussions or that action or lawsuit. A copy of the notification shall be provided to any other party involved in those discussions.

THE NOTIFICATION SHALL BE SENT BY  
Mr. James Janssen  
Remedial Project Management Section  
Division of Land Pollution Control  
Illinois Environmental Protection Agency  
2200 Churchill Road  
Springfield, Illinois 62706

#### VI. Opportunity to Confer

Any Respondent may, upon receipt of this Notice, request a conference with the Agency to discuss this Notice. If the Agency receives such a request, the conference will be scheduled for February 19, 1986 and will be conducted at the central office of this Agency at 2200 Churchill Road, Springfield, Illinois. All Respondents are invited and encouraged to attend the conference.

Any request for a conference shall be directed to:

James Janssen (217/782-6760)  
Remedial Project Management Section  
Division of Land Pollution Control  
Illinois Environmental Protection Agency  
2200 Churchill Road  
Springfield, Illinois 62706

#### VII. Abatement of Endangerment

In the event that the Director of the Agency determines that any activities implementing the Identified Response Action are in non-compliance therewith, or any other circumstances or activities are creating an imminent or substantial endangerment to the health and welfare of the people on the Site or in surrounding areas or to the environment, the Director may issue a notice to cease further implementation of the Identified Response Action for such period of time as needed to abate the endangerment. During any such period of time, the Respondents' obligations pursuant to this Notice shall be suspended and the time schedules for implementation of this Notice and Identified Response Action shall be extended by the time period of the delay.

#### VIII. Parties Bound

This Notice shall apply to and be binding upon the Respondents and their officers, employees, agents and contractors in their capacity as corporate representatives, successors, assigns and subsidiaries.

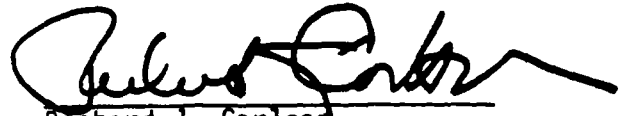
#### IX. Other Remedies

Nothing herein shall waive or limit the State of Illinois' or the Agency's right to enforce or take any action authorized by State or Federal law.



§1022.2), if a Respondent fails without sufficient cause to provide the Identified Response Action as set forth herein upon or in accordance with this Notice and request by the Agency, such failure may subject such Respondent to liability to the State of Illinois for punitive damages in an amount at least equal to, and not more than three times, the amount of any costs incurred by the State as a result of such failure. The punitive damages imposed by the Pollution Control Board shall be in addition to any costs recovered from the liable party pursuant to said Section 22.2 of the Act and in addition to any other penalty or relief provided by the Act or any other law.

Illinois Environmental Protection Agency



Richard J. Carlson  
Director

2200 Churchill Road  
Springfield, Illinois 62706

Date: January 28, 1986

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